

35.C11250 CI



PATENT APPLICATION

#19/Three!
Notice of
Allowability
Hood
3-24-99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
	:	Examiner: D. Schuberg
MANABU KATO)	
	:	Group Art Unit: 2872
Appln. No.: 08/951,635)	
	:	Allowed: February 12, 1999
Filed: October 17, 1997)	
	:	Batch No.: 099
For: SCANNING OPTICAL)	
APPARATUS	:	March 4, 1999

The Assistant Commissioner For Patents
Washington, D.C. 20231

REQUEST FOR WITHDRAWAL OF DRAWINGS REQUIREMENT
IN NOTICE OF ALLOWABILITY

Sir:

Applicants are in receipt of two separately issued Notices of Allowance (PTOL-85), each dated February 12, 1999, in the above-referenced application.

Attached to each PTOL-85 is a Notice of Allowability (PTO-37), each requiring submission of new formal drawings including the changes required in the Examiner's comment attached to paper number 12. Attached is a copy of each PTO-37.

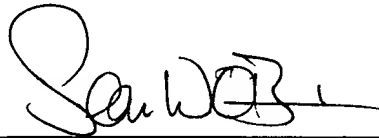
However, on September 16, 1998, Applicants filed a Letter Submitting Corrected Drawings with which were transmitted two sheets of substitute formal drawings incorporating the required changes. Attached are copies to the Letter and the

two drawing sheets, along with a copy of a stamped return receipt postcard indicating that these papers were filed on that date.

Accordingly, Applicants request withdrawal of the drawings requirement and issuance of a corrected Notice of Allowability in which the drawings requirement is withdrawn.

Applicant's undersigned attorney may be reached in our Washington, D.C. Office by telephone at (202) 530-1010. All correspondence should be directed to our new address given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Saul Weber", written over a horizontal line.

Attorney for Applicant

Registration No. 37689

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

F508\W176918\SWO\ayr

Assistant Commissioner for Patents
Washington, D.C. 20231

Date 09 / 16 / 98
Mo. Day Yr.

Atty. Docket 25.C11250C1

Application No. 08/951,635

Sir:

Kindly acknowledge receipt of the accompanying:

- ☒ ~~Response to Official Action~~ *Preliminary Amendment*
☒ Check for \$ 620.00 (claims fee) *w/ Transmittal Letter*
☐ Petition under 37 CFR 1.136 and Check for \$ _____
☐ Notice of Appeal and Check for \$ _____
☐ Information Disclosure Statement, PTO-1449 and _____ documents
☐ Claim for priority and certified copies of _____ priority applications
☐ Issue fee transmittal and Check for \$ _____
☒ Other (specify) *Letter Transmitting Corrected Drawings*
w/ 2 sheets of formal Drawings

by placing your receiving date stamp hereon and returning to deliver.

Atty. Swo/Sws/fclb

Due Date N / D / 0
Mo. Day Yr.

FOHS-D-95

Notice of Allowability

Application No.
08/951,635

Applicant(s)
Kato

Examiner
Darren Schuberg

Group Art Unit
2872



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to an amendment filed 2/2/99

☒ The allowed claim(s) is/are 13-60

☐ The drawings filed on _____ are acceptable.

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☒ received in Application No. (Series Code/Serial Number) 08/607,169

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☒ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☒ including changes required by the attached Examiner's Amendment/Comment to paper #12

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948


☐ Notice of Informal Patent Application, PTO-152

☐ Interview Summary, PTO-413

☐ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance


Cassandra Spyrou
Supervisory Patent Examiner
Technology Center 2800